

Sector 4

PATENT
ATTORNEY DOCKET NO.: 046436-5016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John Paul MAYE et al.

Application No.: 09/520,004

Filed: March 6, 2000

For: PROCESS FOR CONTROLLING
MICRO-ORGANISMS IN AN
AQUEOUS PROCESS MEDIUM



Group Art Unit: 1761

Examiner: Unassigned

Assistant Commissioner for Patents

BOX MISSING PARTS

Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF NONPROVISIONAL APPLICATION**

1. This replies to the Notice to File Missing Parts of Nonprovisional Application (PTO-1533) mailed May 8, 2000.

A copy of the Notice To File Missing Parts of Nonprovisional Application-Filing Date Granted (Form PTO-1533) is enclosed.

2. Declaration Or Oath

No declaration or oath was filed. Enclosed is the original Declaration for Patent Application and Power of Attorney by Assignee & Certificate under 37 C.F.R. § 3.73(b).

The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.

The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

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ATTORNEY DOCKET NO.: 046436-5016
Application No.: 09/520,004
Page 2

3. English Translation of Non-English Language Papers

[] Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

[] Verified Statement(s) that this is a filing by a small entity
[] is attached

[] was filed on _____.

5. Fee Calculation

| Basic Fee: | | | | \$ |
|--|--------------|--------------|---------------|-----------|
| Patent Application-\$690.00 Design Application-\$310.00 | | | | |
| | Number Filed | Number Extra | at a Rate of | |
| Total Claims | 19 - 20 = | | \$18.00 each= | + 0 |
| Independent Claims | 2 - 3 = | | \$78.00 each= | + 0 |
| Multiple dependent claim(s), if any | | | \$260.00 | + 0 |
| Missing Parts Surcharge Fee | | | \$130.00 | + 130.00 |
| SUB-TOTAL = | | | | 130.00 |
| Reduction by ½ for filing by a small entity | | | | - \$ 0 |
| SUB-TOTAL = | | | | 130.00 |
| Fee For Application Filed With A Non-English Specification (37 CFR 1.17(k) and 1.52(d) | | | \$130.00 | + 130.00 |
| Fee For Processing and retention of application (37 CFR 1.21(l) and 1.53(d) | | | \$130.00 | + 130.00 |
| TOTAL FILING FEE = | | | | \$ 130.00 |

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

Applicant petitions for an extension of time, the fees for which are set out in 37 CFR 1.17(a)-(d), for the total number of months checked below:

| <u>Total months requested</u> | <u>Fee for extension</u> | <u>[fee for Small Entity]</u> |
|-------------------------------|--------------------------|-------------------------------|
| [] one month | \$ 110.00 | \$ 55.00 |
| [x] two months | \$ 380.00 | \$190.00 |
| [] three months | \$ 870.00 | \$435.00 |
| [] four months | \$1,360.00 | \$680.00 |

Extension of time fee due with this request: \$380.00

If an additional extension of time is required, please consider this a Petition therefor.

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is: Two Month Extension Fee \$380.00
Missing Parts Fee \$130.00

Total Fee Due \$510.00

Enclosed is a check in the amount of \$510.00 representing the total fee due.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

ATTORNEY DOCKET NO.: 046436-5016
Application No.: 09/520,004
Page 4

8. Additional papers enclosed.

- Preliminary Amendment
- Information Disclosure Statement
- Form PTO-1449
- Citations
- Declaration of Biological Deposit
- Power of Attorney by Assignee and Certificate under 37 C.F.R. §3.73(b).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP


George F. Lesmes
Reg. No. 19,995

Date: September 7, 2000

CUSTOMER NO. 009629
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FORMALITIES LETTER

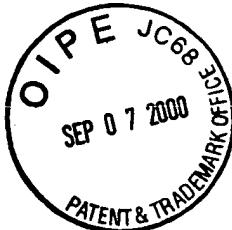


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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/520,004 | 03/06/2000 | John Paul Maye | 046436-5016 |

009629
 MORGAN, LEWIS & BOCKIUS
 1800 M STREET NW
 WASHINGTON, DC 200365869



Date Mailed: 05/08/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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